

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING  
MINUTES  
June 14, 2017**

This meeting was advertised in the Hunterdon County Democrat, notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website, ([www.alexandrianj.gov](http://www.alexandrianj.gov)) as required by the Open Public Meetings Act.

**Meeting Called to order at 7:48 PM.**

**ROLL CALL:**

**PRESENT:** Committeewoman Garay, Committeeman Pfefferle, Mayor Abraham, Township Attorney Dragan

**ABSENT:** None

**FLAG SALUTE:**

**PROCLAMATION FOR RELAY FOR LIFE-HUNTERDON COUNTY JUNE 16<sup>th</sup> & 17<sup>th</sup>**

Mayor Abraham read the above Proclamation.

**PROCLAMATION FOR EAGLE SCOUT PIERCE WERRMANN**

Mayor Abraham read the above proclamation and presented Eagle Scout Werrmann with the above Proclamation.

**BETH THOMPSON, BOARD OF ELECTIONS-ALEXANDRIA POLLING ELECTIONS FOR THE 2017 GENERAL ELECTION**

Beth Thompson from the Hunterdon County Board of Elections was present and discussed the June 6, 2017 Primary Election with the Township Committee. Ms. Thompson acknowledged that the election at Delaware Valley Regional High School was a failure. The main reason the high school is not ideal is due to busing and the buses blocking the voter entrance during the end of day dismissal. There was a communication break down with the High School Administration and the Transportation Department. The County Board of Elections and the High School Administration did not realize that the buses would be blocking the voter's entrance when all parties met earlier in the year to discuss using the high school as a polling location. There is no way to correct this situation moving forward in which the high school cannot be used for future elections. The only area at the high school that met State and Federal Election guidelines was the wrestling room in the back of the high school. The Hunterdon County Board of Elections changed polling locations this year because the County Board of Elections has been battling with the Alexandria Middle School Administration for years. The School Administration has not been cooperative with the County Board of Elections or Township Clerk Bobrowski. Events and conferences have been scheduled on days of the primary and general elections causing voters not being able to park in the school parking lot and causing traffic issues in and out of the school. The Alexandria Middle School Administration has been asked repeatedly not to schedule events during elections but

the requests are ignored. No more than 750 registered voters are to come out for a general election per district. Alexandria Township has over 900 registered voters per district but is safe because only 50 % of registered voters come out on election days. Alexandria Township currently has four districts but a fifth district would need to be added if voter turnout increases. The County Board of Elections is up against tough federal laws especially with handicap accessibility. Title 19 gives preference to public facilities. The County Board of Elections would like to use the schools but unless the schools are willing to close on election days the use of local schools cannot be possible. There are State and Federal guidelines as to spacing needed for voting machines and poll worker stations. The municipal offices can only accommodate two voting districts in the meeting room. The County Board of Elections has come out to the municipal offices and the park barn and has determined that they are acceptable alternative voting locations. Both facilities can have two voting districts. The park barn would need to have at least one handicap parking spot which needs to be paved and some minor work would need to be done at the entrance of the building for ADA compliance. Another possible voting location is the new DPW garage that was built last year. Ms. Thompson will meet with Township Clerk Bobrowski and DPW Foreman Griffith to visit the facility, measure the space and look at parking. The Township Committee informed Ms. Thompson that there is a new school board at Alexandria Middle School and maybe they would be willing to work with the County Board of Elections. Comm. Pfefferle suggested that Lester D. Wilson be looked at for elections. Members of the public were concerned about ADA compliance at the elementary school and any ramps needed would be extreme. Comm. Pfefferle will visit Lester D. Wilson School to see if the school could be used. Ms. Thompson noted to the Township Committee and the public that she and the County are open to all options for the Township's election needs. The Township does not have many viable options and time is of the essence to inform voters as to where they will need to go for the General Election in November.

#### **TOWNSHIP COMMITTEE OVERSIGHT REPORTS:**

##### **Environmental Commission/Health Dept. Oversight-Comm. Garay**

- Utilized all their resources in assisting with Community Day which was held on June 10<sup>th</sup>.

##### **Personnel/Park & Rec Oversight-Mayor Abraham**

- Park/Rec met on June 13<sup>th</sup>. A lot of projects are coming up that need the assistance of the DPW. Some of these projects are:
  - 1.) Walking Bridge
  - 2.) Basketball Courts
  - 3.) Volleyball Eagle Scout Project
- Mayor Abraham noted that a Scout Reservation is willing to donate lean-to's for the Boy Scout campsites located within the park. The Scout Reservation is willing to move them to the park and build pads for them.

### **Finance/DPW Oversight-Comm. Pfefferle**

- On-going park and gravel road maintenance
- Roadside mowing is about 90% complete
- Trees have been planted in front of the new DPW garage
- Senator Stout Road work is on-going
- Comm. Pfefferle met with CFO Hart last month and asked Township Clerk Bobrowski to send Rice Notices to CFO Hart and Asst. CFO McDaniel so that the Township Committee could speak to both of them regarding the finance department operations at tonight's meeting. Asst. CFO McDaniel has asked that her matter be discussed in public. The following was discussed by the Township Committee in public:

Concerns of the Township Committee were discussed as to the overpayment of bills, services shut off due to non-payment, and lack of communication from the finance department with fellow employees, outside vendors, and professionals. The Township Committee doesn't feel that Asst. CFO McDaniel's hours are adequate. The Township Committee would like to see someone in the Township Offices during the day to assist vendors and employees when questions arise. The Township Committee would like to restructure the finance department. Comm. Pfefferle would like to eliminate the position of Asst. CFO, have an interim CFO come in and re-interview the position of CFO. Mayor Abraham suggested that Asst. CFO McDaniel stay in her current position while the finance department is restructured. Once the department is restructured then the Township Committee can place an ad for an Asst. CFO and if Asst. CFO McDaniel is interested in the new position she can apply for it and re-interview.

### **PUBLIC COMMENT FOR AGENDA RELATED MATTERS ONLY:**

None

### **OLD BUSINESS:**

- PennEast Pipeline Update

Environmental Commission Member Jackie Freedman noted that 2 out of the 3 vacancies on the FERC Commission have been filled. The two appointments are pending United State Senate approval. FERC is going to approve the pipeline project but that doesn't mean the pipeline project will be moving forward. The New Jersey Department of Environmental Protection has given PennEast 60 days to correct their permit application. The deadline is the end of this month. PennEast Pipeline may start the process of land condemnation soon since a lot of homeowner's are not allowing access to their properties or signing on for the use of their property.

- FEMA Update

Township Administrator/Clerk Bobrowski worked with FEMA and the NJ Department of Disaster Recovery in which the Township was awarded an additional \$48,700.93 in monies for Sweet Hollow Road repairs due to Superstorm Sandy. The Township spent \$199,032.45 to repair a section of Sweet Hollow Road due to Superstorm Sandy in 2011. FEMA originally awarded the Township \$75,165.76. Township Administrator/Clerk Bobrowski reviewed documents along with a Disaster Recovery Specialist from the NJ Office of Emergency Management that were filed in 2011 and found additional paperwork to submit for review to FEMA for additional monies. A check should arrive in about a month and this project was the last of the Superstorm Sandy projects to be closed.

- Ordinance 2017-001- Amending Chapter 115 of the Code of the Township of Alexandria entitled "Land Use" and providing for the Planning Board to assume all the powers, duties, and responsibilities of the Alexandria Township Board of Adjustment and naming the combined Board as " The Alexandria Township Land Use Board" **2<sup>nd</sup> Reading**

Comm. Pfefferle made a motion, seconded by Comm. Garay to open public comment for Ordinance 2017-001.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

Mayor Abraham noted that the combination of the Boards is to conserve volunteer resources. There is very little activity on both Boards. The current Planning Board Attorney is already serving both Boards. The Planning Board will take over the functions of the Board of Adjustment. As member appointments are up then new members can be appointed. The only change will be the term for alternates. Currently, an Alternate's term expires in 2 years under the new Ordinance the term expiration will be 4 years. The members of the new Land Use Board will be appointed in July by Mayor Abraham.

Resident Mike Giannone and longtime member of the Planning Board does not agree with the Mayor's assessment. Mr. Giannone noted that Planning Board members don't have the expertise and knowledge like the Board of Adjustment members do. Mr. Giannone feels that expertise that has generated over the years will be lost. The Planning Board members will need to be retrained with how the Board of Adjustment operates. Mr. Giannone does not approve the merger of the two Boards.

Resident Curtis Schick agrees with Mr. Giannone. Mr. Schick would like to know how many other Townships have merged their Boards and if the Township reverses its decision how long to undo the new Board. Township Atty. Dragan noted that for the

Township to reverse its decision in the future it would be by referendum and that there is no time limitation. The referendum must be introduced by Ordinance.

Comm. Garay made a motion, seconded by Comm. Pfefferle to close open public comment for Ordinance 2017-001.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

Comm. Garay made a motion, seconded by Comm. Pfefferle to adopt Ordinance 2017-001.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

***TOWNSHIP OF ALEXANDRIA  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

***AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF THE TOWNSHIP OF ALEXANDRIA ENTITLED "LAND USE" AND PROVIDING FOR THE PLANNING BOARD TO ASSUME ALL OF THE POWERS, DUTIES AND RESPONSIBILITIES OF THE ALEXANDRIA TOWNSHIP BOARD OF ADJUSTMENT AND NAMING THE COMBINED BOARD AS "THE ALEXANDRIA TOWNSHIP LAND USE BOARD"***

***Ordinance # 2017-001***

***STATEMENT OF PURPOSE***

The purpose of this Ordinance is to combine the Alexandria Township Planning Board and the Board of Adjustment into one joint board to be known as the "Alexandria Township Land Use Board" by: (a) providing that the Alexandria Township Planning Board shall now assume all of the powers previously exercised by the Alexandria Township Zoning Board of Adjustment, and; (b) abolishing the previously existing separate Alexandria Township Board of Adjustment.

***WHEREAS***, the Township of Alexandria, pursuant to the Municipal Land Use Law, has heretofore established a nine (9) member Planning Board and a seven (7) member Zoning Board of Adjustment; and

***WHEREAS***, the Alexandria Township Planning Board and Alexandria Township Board of Adjustment, by ordinance, have each been endowed with all of the statutory functions pertaining to each Board under the Municipal Land Use Law; and

**WHEREAS**, the provisions of N.J.S.A. 40:55D-25c.(1) provide that in a municipality having a population of 15,000 or less, a nine member Planning Board, if so provided by Ordinance, shall exercise to the same extent and subject to the same restrictions, all of the powers of a Board of Adjustment, but the Class I and Class III members shall not participate in the consideration of applications for development which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70; and

**WHEREAS**, the Township of Alexandria has a population of less than 15,000 as established by the 2010 United States national census; and

**WHEREAS**, the governing body of the Township of Alexandria has determined that it is in the best interests of the Township of Alexandria to have the Planning Board hereafter act as a joint land use board, exercising all of the powers of the Board of Adjustment.

***NOW, THEREFORE BE IT ORDAINED*** by the Mayor and Township Committee of the Township of Alexandria in the County of Hunterdon, State of New Jersey, as follows

**SECTION 1.** a. As of the effective date of this Ordinance, the powers of the Alexandria Township Planning Board shall, in accordance with N.J.S.A. 40:55D-25c.(1), include those of a Zoning Board of Adjustment, and the Alexandria Township Planning Board shall exercise to the same extent and subject to the same restrictions, all the powers of a Board of Adjustment under applicable N.J. law.

b. The combined board shall be known as the "Alexandria Township Land Use Board" or "Land Use Board" and all references to the "Planning Board" and/or to the "Board of Adjustment" throughout the provisions of the Code of Alexandria Township shall mean the "Land Use Board" and are amended accordingly.

**SECTION 2.** Provided however, that the Class I and Class III members of the Alexandria Township Land Use Board shall not participate in the consideration of applications for development which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70.

**SECTION 3.** The following amendments shall be made to Chapter 115 of the Alexandria Township Code entitled "Land Use" (language underlined thus    represents new language; language in brackets [ ] signifies deletions):

## **Article II. Definitions.**

Sec. 115-4 Terms defined.

**Board of Adjustment.** [The Alexandria Township Board of Adjustment, established pursuant to Section 56 (N.J.S.A. 40:55D-69) of the Act]. Whenever used in this chapter, means the Alexandria Township Land Use Board, established pursuant to N.J.S.A. 40A:55D-25(c)(1).

**Planning Board.** [The Alexandria Township Planning Board, established pursuant to Section 14 (N.J.S.A. 40: 55D-23) of the Act]. Whenever used in this chapter, means the Alexandria Township Land Use Board, established pursuant to N.J.S.A. 40A: 55D-25(c)(1).

## **Article XI. Administration**

Sec. 115-67 Establishment of a [Planning Board] Land Use Board

A. Establishment. The Planning Board heretofore created by the Township of Alexandria is hereby reestablished pursuant to the Municipal Land Use Law as the [Planning Board] Land Use Board for said municipality.

B. Composition. The [Planning] Land Use Board shall consist of nine members who shall be divided into four classes for convenience in designating their manner of appointment, as follows:

(1) Class I: the Mayor or the Mayor's designee in the absence of the Mayor.

(2) Class II: one of the officials of the municipality, other than a member of the Township Committee, to be appointed by the Mayor. [provided that if there be an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by P.L. 1976, c. 245 (N.J.S.A. 40:56A-1), shall be deemed to be the Class II Planning Board member for purposes of this act in the event that there be among the Class IV members of the Planning Board both a member of the Board of Adjustment and a member of the Board of Education].

(3) Class III: a member of the Township Committee, to be appointed by it [if the Township Committee is increased to more than three members].

(4) Class IV: six other citizens of the municipality [or seven if Class III is not appointed] to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, except that one such member [may be a member of the Board of Adjustment and one member] may be a member of the Board of Education. [If there be an Environmental Commission, the] A member of the Environmental Commission who is also a member of the [Planning] Land Use Board, as required by P.L. 1976, c.245 (N.J.S.A. 40:56A-1), shall be a Class IV [Planning] Land Use Board Member, unless there be among the Class IV members of the [Planning] Land Use Board both a member of the [Board of Adjustment] Historic Preservation Commission and a member of the Board of Education, in which case the member common to the [Planning] Land Use Board and Environmental Commission shall be deemed a Class II member of the [Planning] Land Use Board.

C. Terms of office; vacancies. The term of the member composing Class I shall correspond to his or her official tenure or, if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure. The terms of the member composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office whichever occurs first [except for a Class II member who is also a member of the Environmental Commission]. The term of a [Class II or] Class IV member who is also a member of the Environmental Commission shall be for three years or terminate at the completion of his or her term of office as a member of the Environmental Commission, whichever comes first. The term of a Class IV member who is also a member of the [Board of Adjustment or] Board of Education shall terminate whenever her or she is no longer a member of such [other] body or at the completion of his or her Class [III] IV term, whichever occurs first. The terms of the Class IV members first appointed under this article shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after their appointment, provided that the initial Class IV term of no member shall exceed four years. Thereafter, the Class IV term of each member shall be four years. If a vacancy in any class shall occur otherwise than by expiration of the [Planning] Land Use Board term, it shall be filled by appointment as above provided, for the

unexpired term. No member of the [Planning] Land Use Board shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest. Any member other than a Class I member, after a public hearing, if he or she requests one, may be removed by the Township Committee for cause.

D. Alternate members.

(1) [There shall be one alternate member in Class II, one in Class III and two in Class IV. Alternate members of Classes II and III shall be appointed for terms to expire at the same time as the terms of regular members of their respective classes. Alternate members of Class IV shall serve for terms of two years; provided, however, that the initial terms of the alternate members of Class IV shall be one and two years respectively. Such alternate members shall be designated by the Chairperson as "Alternate No. 1" and "Alternate No. 2" and shall serve in rotation during the absence or disqualification of any regular member or members of Class IV. Alternate members of each class shall be appointed by the same appointing authority as regular members of that class.] Up to four alternate members shall be appointed to the Land Use Board by the Mayor for Class IV members, and said members shall meet the qualifications of Class IV members as provided in this chapter. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No.1", "Alternate No. 2" "Alternate No. 3" and "Alternate No.4". The terms of the alternate members shall be for two years and their expiration dates shall be staggered such that two alternate members can be appointed each year. A vacancy occurring otherwise than by expiration of the term shall be filled by the appointing authority for the unexpired term only.

(2) No alternate member shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he or she requests one, be removed by the Township Committee for cause.

(3) Alternate members may participate in discussions of the proceedings, but may not vote, except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

E. Absence of member from hearing.

When any hearing before the [Planning] Land Use Board shall carry over two or more meetings, a member of the [Planning] Land Use Board who was absent for one or more of the meetings shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his or her absence from one or more of the meetings; provided, however, that such Board member has available to him or her a transcript or recording of the meeting and certified in writing that the transcript was read or recording listened to.

[F. If the Planning Board lacks a quorum because any of its regular or alternate members is prohibited by Subsection b of Section 14 of P.L. 1975, c. 291 (N.J.S.A. 40:55D-23) or Section 13 of P.L. 1979, c.216 (N.J.S.A. 40:55D-23.1) from action on a matter due to the member's personal or financial interests therein, regular members of the Board of Adjustment shall be called on to serve, for that matter only, as temporary members of the Planning Board in order of seniority of continuous service to the Board of Adjustment until there are the minimum number of members necessary to constitute a quorum to act upon the matter without any personal or financial interest therein, whether direct or indirect. If a choice has to be made between regular members of equal seniority, the Chairperson of the Board of Adjustment shall make the choice.]



F. [G.] Service without compensation. Members of the [Planning] Land Use Board shall serve without salary but may be paid expenses incurred in the performance of duties.

G. [H.] Conflict of interest. No member shall be permitted to act on any matter in which he or she has, directly or indirectly, any personal or financial interest.

H. [I.] Officers. The [Planning] Land Use Board shall elect a Chairperson and a Vice Chairperson from the members of Class IV. Their terms of office shall each be one year, and they shall be eligible for re-election. The Board shall also select a Secretary, who may but need not be a member of the Board, and it may create and fill such other offices as it shall determine.

I. [J.] [Planning] Land Use Board Attorney; other staff and consultants. The office of [Planning] Land Use Board Attorney is hereby created. The [Planning] Land Use Board may annually appoint to such office and fix the compensation or rate of compensation of an attorney at law of New Jersey other than the Attorney for the municipality. The [Planning] Land Use Board may also employ or contract for and fix the compensation of such experts and other staff and services as it deems necessary. Obligations for the foregoing shall not exceed, exclusive of gifts or grants, the amounts agreed upon and appropriated for the Board's use.

J. [K] Powers of the [Planning] Land Use Board.

(1) The [Planning] Land Use Board shall have the power to:

(a) Prepare and adopt a master plan for the physical, economic and social development of the municipality and amend or revise the same from time to time.

(b) Participate in the preparation and review of programs or plans required by state or federal law or regulation.

(c) Assemble data on a continuing basis as part of a continuous planning process.

(d) Perform such other advisory duties as are assigned to it by ordinance or resolution of the Township Committee for the aid and assistance of the Township Committee or other agencies or officers.

(e) To administer the provisions of Chapter 115, the Land Use Code of the Township of Alexandria, including subdivision and site plan review and to approve applications for conditional uses pursuant to N.J.S.A. 40:55D-67.

[(2) Whenever the proposed development requires approval of a subdivision, site plan or conditional use, but not a use variance, the Planning Board, in lieu of the Board of Adjustment and to the same extent and subject to the same restrictions as such Board, shall receive, review and act upon applications for hardship variances and applications for special permits. The developer may elect to submit a separate application requesting approval of the hardship variance or special permit and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the hardship variance or special permit shall be conditioned upon grant of all required subsequent approvals by the Planning Board. No such subsequent approval shall be granted unless it is without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and the zoning provisions of this chapter.]

(2) Whenever the proposed development requires approval of a subdivision, site plan or conditional use, the Land Use Board shall have the power to hear and grant:

(a) Variances pursuant to Subsection 57c of c. 291 P.L. 1975 from lot area, lot dimensional setback, and yard requirements, provided that such relief from lot area requirements shall not be granted for more than one lot.

(b) Direction pursuant to Section 25 of said Act for issuance of a permit for building or structure in the bed of a mapped street or public drainageway, flood control basin or public area reserved pursuant to Section 23 of said Act.

(c) Direction pursuant to Section 27 of said Act for issuance of a permit for a building or structure not related to a street. Whenever relief is requested pursuant to this subsection, notice of a hearing on the application for development shall include reference to the request for a variance or direction for issuance of a permit as the case may be.

(3) The Land Use Board shall exercise all the powers set forth in N.J.S.A. 40:55D-69 et seq., granted to a Zoning Board of Adjustment, including the following:

(a) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by any municipal official based on or made in enforcement of the zoning provisions of this chapter.

(b) Hear and decide requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such Board is authorized to pass by any zoning or official map ordinance.

(c) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.

(d) Where, in an application or appeal relating to a specific piece of property, the purposes of this chapter, set forth in Article I and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), would be advanced by deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow the departure from zoning regulations.

(e) Grant a variance to allow departure from zoning regulations, including but not limited to allowing a structure or use in a district restricted against such structure or use, in particular cases and for special reasons to permit:

(i) A use or principal structure in a district restricted against such use or principal structure.

(ii) An expansion of a nonconforming use.

(iii) Deviation from a specification or standard pertaining solely to a conditional use.

(iv) An increase in the permitted floor area ratio as defined in Article II, Definitions.

(v) An increase in the permitted density as defined in Article II, Definitions, except as applied to the required lot area for a lot or lots for detached one- and two-dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision. A variance under this subsection shall be granted only by the affirmative vote of at least five members.

Proofs Required. No variance or other relief may be granted under the terms of this subsection (3) unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and this chapter.

K. Appeals from administrative decisions; direct application in lieu of appeals.

(1) Appeals to the Land Use Board may be taken by any interested party affected by any decision of an administrative officer of the municipality based on or made in the enforcement of this chapter or the Official Map. Such appeal shall be taken within 20 days by filing a notice of appeal with the officer from whom the appeal is taken, specifying the grounds of such appeal. The officer from whom the appeal is taken shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

(2) A developer may file an application for development with the Land Use Board for action under any of its powers without prior application to an administrative officer.

L. Stay of proceedings appeal. An appeal to the Land Use Board shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made unless the officer from whose action the appeal is taken certifies to the Land Use Board, after the notice of appeal shall have been filed with him or her, that by reason of acts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court upon notice to the officer from whom the appeal is taken and on due cause shown.

M. Decision on appeal. The Land Use Board may reverse or affirm, wholly or in part, or may modify the action, order, requirement, decision, interpretation or determination appealed from and to that end have all the powers of the administrative officer from whom the appeal is taken.

N [L]Exclusivity of powers. No power expressly authorized by this chapter to be exercised by the [Planning] Land Use Board shall be exercised by any other body except as otherwise provided in this order.

**SECTION 4.** Section 115-68 entitled "Establishment of the Board of Adjustment" and be deleted in its entirety.

**SECTION 5.** All sections of the all prior Ordinances of the Land Use section of the Alexandria Township Code or any other Township ordinance, or parts thereof, inconsistent with this Ordinance including but not limited to any prior ordinance creating the Alexandria Township Board of Adjustment, as hereby repealed to the extent of such inconsistency, and the Alexandria Township Board of Adjustment is hereby abolished.

**SECTION 6.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

**SECTION 7.** This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

**NEW BUSINESS:**

- The Creation of a County Daytime Fire Department to Support our Volunteer Fire Companies

The Township Committee will not move forward in support of a County Daytime Fire Department. The Township Committee determined that there is no benefit to Alexandria Township.

- Township Volunteer Fire Coverage/Contributions

Fire Marshall Giannone prepared a letter explaining the replacement of coverage from the Frenchtown Fire Department to the Milford and Kingwood Fire Departments. The Township has paid Frenchtown Fire Department \$14,741.66 a year in contributions. Frenchtown Fire has been in non-compliance of providing annual audited financials and other information/statistics for several years. Alexandria Township has determined that the most appropriate method to allocate the Township's support for its multiple fire companies is as a portion of the ratables that exist within each company's first-due response area compared to the ratables of the Township. With the new coverage changes the Township will pay Milford Fire an additional \$9,169.31 and Kingwood Fire an additional \$5,572.35 for the increase of coverage area that was done by Frenchtown Fire.

Comm. Garay made a motion, seconded by Comm. Pfefferle to approve the re-alignment of fire coverage from Frenchtown Fire (Former Station 11) to Milford Fire (Station 92) and Kingwood Fire (Station 16).

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

- Resolution 2017-038 Appointing of LSRP Robert E. Schwarzkopf, CHMM, LSRP  
Comm. Pfefferle made a motion, seconded by Comm. Garay to approve Resolution 2017-038.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Motion Carried**

**RESOLUTION 2017-038 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY APPOINTING A LSRP( LICENSED  
SITE REMEDIATION PROFESSIONAL) FOR THE TOWNSHIP OF  
ALEXANDRIA**

**WHEREAS**, there exists a need to provide the Township of Alexandria with professional services (“professionals”) during the period from June 14, 2017 to December 31, 2017; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose within the Township budget; and

**WHEREAS**, “professional services” are those “rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training” (NJSA 40A:11-2), and the professional services required by the Township are “professional services” as heretofore defined, and are excepted from the public bidding requirement pursuant to NJSA 40A: 11-5; and

1. Township Professional Robert E. Schwarzkopf, CHMM, LSRP or Najarian Associates, Inc., 1 Industrial Way West, Eatontown, NJ 07724

**NOW THEREFORE, BE IT RESOLVED** by the Township of Alexandria as follows:

1. That the Township hereby appoints Robert E. Schwarzkopf, CHMM, LSRP of Najarian Associates, Inc. licensed as a Site Remediation Professional in the State of New Jersey for the Township of Alexandria for the period June 14, 2017 through December 31, 2017.
2. That this contract is awarded as a Professional Services contract under the provisions of the Local Public Contracts Law.
3. The Professional shall supply the Township with Federal Affirmative Action Plan Approval or a State Certificate of Employee Information Report within the time period required by NJAC 17:17. The contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts as required by NJAC 17:27.
4. Each Professional shall comply with the requirements of NJSA 19:44A-20.5 and shall provide a written certification that the Professional has not made a contribution that would bar the award of the contract pursuant to NJSA 19:44A-20.8.

5. Fees for 2017 are as follows:

- A lump sum of \$3,300.00 to electronically file LSRP Retention, to complete a file review at NJDEP, and to prepare a letter report providing recommendations.
- Fee does not include NJDEP copying/reproduction costs (estimated at \$250.00) or NJDEP Annual Remediation Fees, which are billed directly to Alexandria Township. Reproduction costs will be billed as a reimbursable expense.
- Najarian will provide the Township with electronic copies of all reports and findings obtained/generated as part of the scope-of-work at no additional cost.
- A budgetary cost to complete two rounds of groundwater sampling and analyses, to prepare the RAR with an Remedial Action Permit-Groundwater (RAP-GW) application and to issue an Limited Restricted Response Action Outcome (RAO) is \$25,000.00
- The hourly rate of Robert E. Schwarzkopf, CHMM, LSRP is \$150.00.

6. A copy of this Resolution shall be published in the official newspaper as required by law within ten (10) days of its passage.

- Resolution 2017-051 Shared Service with Delaware Valley Regional HS for Technology Services

Comm. Pfefferle made a motion, seconded by Comm. Garay to approve Resolution 2017-051.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Motion Carried**

***RESOLUTION 2017-051 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY SHARED SERVICES WITH DELAWARE VALLEY REGIONAL HS FOR TECHNOLOGY SERVICES***

**WHEREAS, ALEXANDRIA TOWNSHIP** (Municipality) (hereinafter referred to as "Alexandria Township") has received a proposal from DELAWARE

VALLEY REGIONAL HIGH SCHOOL BOARD OF EDUCATION (hereinafter referred to as "DVRHS") to provide subcontracted Technology services; and

**WHEREAS,** DVRHS and Alexandria Township desire to enter into a joint agreement wherein DVRHS will provide the said Technology services; and

**WHEREAS,** the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes public entities to enter into a contract with each other to subcontract any service which one of the parties to the agreement is empowered to render within its own jurisdiction including services incidental to the primary purposes of any of the participating entities; and

**WHEREAS,** DVRHS and Alexandria Township are by definition local units under the said law; and DVRHS is empowered by law to provide Technology services; and

**WHEREAS,** the provision of Technology services by DVRHS is economically advantageous to Alexandria Township;

**NOW THEREFORE BE IT RESOLVED,** that DVRHS and Alexandria Township hereby agree enter into the 2017/2018 time and material shared services arrangement for the provision of Technology services in accordance with N.J.S.A. 40A:65-1 et seq. at the following hourly rates:

IT Director: \$80.00

Network Specialist: \$70.00

Technician Level 2: \$60.00

Technician Level 1: \$50.00

Materials will be reimbursable at cost.

- Resolution 2017-052 Renewal of Plenary Retail Consumption License for the Grill at the Pittstown Inn

Comm. Pfefferle made a motion, seconded by Comm. Garay to approve Resolution 2017-052.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Motion Carried**

**RESOLUTION # 2017-052 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR RENEWAL OF THE PLENARY RETAIL CONSUMPTION LICENSE FOR THE GRILL AT THE PITTSTOWN INN.**

**BE IT RESOLVED** that Plenary Retail Consumption License No. 1001-33-002-0010 be issued to GSW Hospitality, LLC t/a The Grill at the Pittstown Inn, 350 Pittstown Road, Pittstown, New Jersey for a fee of \$2,000.00 and to become effective 12:00 a.m. July 1, 2017 and to expire midnight, June 30, 2018.

**SPECIAL CONDITIONS**

1. No sales on weekdays between the hours 2:00 a.m. and 7:00 a.m.
2. No sales on Sunday between the hours 2:00 a.m. and 10:30 a.m.
3. Open Christmas Eve until 5:00 a.m. December 25<sup>th</sup>
4. Open New Year's Eve until 5:00 a.m. January 1, 2018

License is subject to the proper execution of renewal application forms.

**NOW, THEREFORE BE IT RESOLVED** that Michele Bobrowski, Township Clerk is hereby authorized to issue, sign, seal and deliver said license.

- Resolution 2017-053 Renewal of Plenary Retail Consumption License for the Little York, LLC  
Resolution to be tabled.

- Resolution 2017-054 Renewal of Plenary Retail Distribution License for KKJ, Inc. t/a The Wine Hut

Comm. Garay made a motion, seconded by Comm. Pfefferle to approve Resolution 2017-054.

**Roll Call: Aye: Garay, Pfefferle, Abraham**

**Nay: None**

**Motion Carried**

**RESOLUTION 2017-054 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE FOR KKJ, INC, t/a THE WINE HUT**

**BE IT RESOLVED** that Plenary Retail Distribution License No. 1001-44-003-004 be issued to KKJ, Inc. 741 Frenchtown Road, Milford, New Jersey for a fee of \$2,000.00 and to become effective 12:00 A.M., July 1, 2017 and to expire midnight, June 30, 2018. License is subject to the proper execution of renewal application forms.



**NOW, THEREFORE BE IT RESOLVED** that Michele Bobrowski, Township Clerk is hereby authorized to issue, sign, seal, and deliver said license.

- Refund of \$200.00 to the Pittstown Inn for an overpayment of Liquor License Comm. Garay made a motion, seconded by Comm. Pfefferle to refund \$200.00 to the Pittstown Inn for the overpayment of their 2017/2018 liquor license.

**Roll Call: Aye: Garay, Pfefferle, Abraham**

**Nay: None**

**Motion Carried**

- Resolution 2017-055 Support of Hunterdon Medical Center Angioplasty Comm. Garay made a motion, seconded by Comm. Pfefferle to approve Resolution 2017-055.

**Roll Call: Aye: Garay, Pfefferle**

**Abstain: Abraham**

**Nay: None**

**Motion Carried**

**RESOLUTION 2017-055 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY IN SUPPORT OF HUNTERDON MEDICAL CENTER BECOMING A FULLSERVICE ANGIOPLASTY PROVIDER**

**WHEREAS**, in 1953 the Hunterdon Medical Center opened its doors in Hunterdon County focusing on wellness and primary care. Since that time it has grown into a sophisticated community hospital by adding numerous medical specialties and complementary services while still maintaining its emphasis on primary care for Hunterdon County and its environs; and

**WHEREAS**, in this age of spiraling medical costs, the Hunterdon Medical Center has made significant efforts to provide medical services in an extremely efficient manner without sacrificing the quality care it is known for; and

**WHEREAS**, the leading cause of death in Hunterdon County is heart disease; and

**WHEREAS**, Hunterdon Medical Center has worked hard to develop a sophisticated and successful cardiology department staffed by experienced, well-trained cardiologists; and

**WHEREAS**, in an effort to develop state-of-the-art cardiac facilities for a community hospital, it constructed the Norman and Denise Guilloud Cardiovascular Center which opened in June 2015, which includes a catheterization lab so as to provide cardiac catheterization services; and

**WHEREAS**, cardiac catheterization, also known as coronary angioplasty, is a procedure used to diagnose and open clogged heart arteries. It involves temporarily inserting a wire to identify blockage and then inflating a tiny balloon at the location of a clogged artery to help widen it. The angioplasty is often combined with the permanent placement of a small, wire mesh tube called a stent to keep the artery open and decrease its chances of future narrowing. Angioplasty can improve the symptoms of blocked arteries, such as chest pain and shortness of breath. Angioplasty can also be used during a heart attack to quickly open a blocked artery and reduce damage to the heart; and

**WHEREAS**, cardiac catheterization was developed nearly 50 years ago as a diagnostic tool. However, it evolved into one that included the effective treatment of widening and stenting arteries; and

**WHEREAS**, originally, due to its novelty, cardiac catheterization was only permitted at hospitals with facilities capable of performing heart surgery, if that became necessary. However, as the use and frequency of the procedure developed, State regulators began to ease the restrictions on which hospitals could offer elective angioplasty, although those restrictions have not yet been lifted for the Hunterdon Medical Center and a number of other hospitals in New Jersey which are often located in more rural areas; and

**WHEREAS**, peer reviewed articles in highly regarded medical journal have regularly reported the procedure has become common and can be safely performed at hospitals without coronary operation theatres; and

**WHEREAS**, the regulations of the State of New Jersey permit Hunterdon Medical Center to perform diagnostic and emergency angioplasty, but those regulations do not permit it to perform elective angioplasty. In 2015, Hunterdon Medical Center performed more than 500 diagnostic and emergency angioplasty procedures, often in less time and using less invasive methods than some other hospitals which are permitted to perform all angioplasty procedures; and

**WHEREAS**, Hunterdon Medical Center believes if it is permitted to perform emergency angioplasty procedures to save the lives of patients in a potentially fatal situation, it should be permitted to perform the exact same procedures on patients who not in an emergency condition; and

**WHEREAS**, Senator Christopher “Kip” Bateman, whose district includes the Hunterdon Medical Center, has asserted that hospitals that are able to perform this procedure do not want to lose their market share; and

**WHEREAS**, the residents of Hunterdon County and surrounding environs are being unfairly treated by this restriction on the ability of Hunterdon Medical Center to perform all angioplasty services because residents who require angioplasty services, other than diagnostic or emergency ones, must travel to Morristown or other locations to have this procedure performed which is both inconvenient and wasteful; and

**WHEREAS**, the limitation on the ability to provide full angioplasty services is also a financial burden on the Hunterdon Medical Center. To properly staff its cardiac catheterization service 24 hours a day, 365 days a year so as to have the capacity to respond to heart attacks and other cardiac emergencies its facility must have all necessary equipment, supplies and staff on duty at all times. However, it is not able to amortize the high cost associated with maintaining the facilities and staff 24 hours a day/365 days per year over a larger number of procedures thereby artificially increasing the expense of providing this service, which does an injustice to the hospital and its patients and leads to the inefficient delivery of medical services; and

**WHEREAS**, in order to permit Hunterdon Medical Center to perform elective (as well as emergency and diagnostic) angioplasty, the New Jersey Department of Health needs to amend its Rules, but it has not done so for various reasons unrelated to the ability of the hospital to efficiently and safely provide this service ; and

**WHEREAS**, it is in the interest of the residents of Alexandria Township that the Hunterdon Medical Center be able to perform elective, as well as emergency and diagnostic angioplasty for both the convenience of its patients and also to allow its angioplasty facilities to operate in an efficient and business-like way without being artificially deprived of revenue; and

**WHEREAS**, it is necessary for municipalities in Hunterdon County to urge their residents to petition the Department of Health and their elected officials, including those members of the Assembly that sit on the Health and Senior Services Committee of the Assembly and the Health, Human Services and Senior Citizens Committee of the New Jersey Senate, as well as the Governor, to rectify this injustice.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Alexandria, Hunterdon County, New Jersey, as follows:

1. The New Jersey Department of Health is hereby urged to amend its Rules so as to permit the Hunterdon Medical Center to perform elective, as well as emergency, angioplasty procedures.
2. The Municipal Clerk is hereby authorized and directed to send a copy of this Resolution to:
  - A. Governor Chris Christie.
  - B. Lt. Governor Kim Guadagno

- C. Senate President Stephen M. Sweeney.
- D. Assembly Speaker Vincent Prieto.
- E. Senator Joseph Vitale
- F. Assemblyman Herbert Conaway
- G. Senator Christopher “Kip” Bateman.
- H. Assemblyman Jack Ciattarelli.
- I. Assemblyman Andrew Zwicker.
- J. Senator Michael Doherty.
- K. Assemblyman John DiMaio.
- L. Assemblyman Erik Peterson.
- M. Department of Health Commissioner Cathleen Bennett
- N. The Star Ledger.
- O. The Trenton Times.
- P. The Trentonian.
- Q. The Municipal Clerks of each municipality in the County of Hunterdon with the request that they adopt similar Resolutions supporting the full use of the angioplasty facilities at Hunterdon Medical Center.

- Resolution 2017-056 Appointment of Interim Judge Gerard J. Shamey, Esq. Comm. Garay made a motion, seconded by Comm. Pfefferle to approve Resolution 2017-056.

**Roll Call: Aye: Garay, Pfefferle, Abraham**

**Nay: None**

**Motion Carried**

**RESOLUTION 2017-056 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO RECOMMEND APPOINTMENT OF GERARD J. SHAMEY, ESQ. AS AN INTERIM JUDGE FOR THE MUNICIPAL COURT OF THE DELAWARE VALLEY**

**WHEREAS**, the Township of Alexandria, Hunterdon County, is a member of Joint Municipal Court entitled “ The Municipal Court of the Delaware Valley; and

**WHEREAS**, the Joint Municipal Court oversees the operations of The Municipal Court of the Delaware Valley; and

**WHEREAS**, the long-time Judge for the Court has retired; and

**WHEREAS**, an Interim Judge is needed until the Governor of the State of New Jersey appoints a Judge for the Joint Municipal Court; and

**WHEREAS**, the members of the Municipal Court of the Delaware Valley have agreed among themselves on an individual who they believe should be appointed to be Judge and a letter has been sent to the Governor of the State of New Jersey indicating such; and

**WHEREAS**, the members of the Court wish to advise the Governor, in the absence of an appointment by him, the Assignment Judge of Vicinage 13 of their recommendation for appointment to be the Judge.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Alexandria, Hunterdon County, State of New Jersey that they respectfully recommend Gerard J. Shamey, Esq. as an Interim Judge until an official appointment has been made by the Governor of the State of New Jersey effective June 14, 2017.

- Resolution 2017-057 Chapter 159-Clean Communities  
Comm. Garay made a motion, seconded by Comm. Pfefferle to approve Resolution 2017-057.

**Roll Call: Aye: Garay, Pfefferle, Abraham**

**Nay: None**

**Motion Carried**

**RESOLUTION 2017-057 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2017 BUDGET AND OFFSETTING APPROPRIATIONS FOR A CLEAN COMMUNITIES GRANT.**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Township of Alexandria has received funds from the State of New Jersey in the amount of \$18,104.29 from the State of New Jersey, Environmental Protection Agency for the Clean Communities Program and the Township wishes to amend the 2017 budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Alexandria, in the County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$18,104.29

which is now available as a revenue from the State of New Jersey, Environmental Protection, Clean Communities Grant fy2017 pursuant to the provisions of statute, and

**BE IT FURTHER RESOLVED** that a like sum of \$18,104.29 be and the same is hereby appropriated under the caption of Clean Communities Grant 2017; and

**BE IT FURTHER RESOLVED** that the above is the result of having received the funding after the adoption of the 2017 budget; and

**BE IT FURTHER RESOLVED** that the Township Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

**BILL LIST:**

Comm. Garay made a motion, seconded by Comm. Pfefferle to approve the attached bill list.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Motion Carried**

**ENGINEER'S REPORT:**

None submitted

**APPROVAL OF MINUTES:**

- May 10, 2017 Executive Session Minutes
- May 10, 2017 Township Committee Meeting Minutes

Comm. Pfefferle made a motion, seconded by Comm. Garay to approve the above Township Meeting Minutes and Executive Session Meeting Minutes.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

**PUBLIC COMMENT ON GENERAL MATTERS:**

Resident Curtis Schick would like to see the water tank in the Ramshorn Development be repaired as opposed to the installation of a water tank in the park. Mr. Schick feels that the park is not an essential location. Fire Marshall Giannone disagrees with Mr. Schick as to the location of the proposed water tank. Fire Marshall Giannone feels that the park is an essential location. Fire Marshall Giannone noted that a recent arson fire was problematic because ponds located on Route 614 and Woolf Road could not be accessed. Developers in the past put in water tanks as per their site plan approval by the

Township Planning Board and there are no future developments in the works to have additional water tanks installed. Fire Marshall Giannone feels that the Township needs a water tank and having one at the park is a great location with good access.

Resident Bill Fritsche asked if Mayor Abraham reached out to Holland Township to see if they were interested in doing a shared service for the purchase and installation of the water tank at the park. Mayor Abraham stated that he did reach out to Mayor Bush of Holland Township and that Holland Township thanked Alexandria Township for the thought but their 2017 budget is already set.

Resident Russ Oaks appeared before the Township Committee. He lives in Kingwood Township and owns land in Alexandria Township. Mr. Oaks discussed a problem he had with building permit fees which has since been rectified. Mr. Oaks stated that his property is farmland preserved and farm assessed and that he should qualify for a reduced agriculture permit fee. The building department was not aware that the property is agriculture and Mr. Oaks was asked to provide a letter stating such. The letter was placed in his building permit file stating that the barn that is to be built will serve for the agriculture use of his property. Mr. Oaks would like the letter removed from his building permit as he felt he was under duress and singled out while writing it so he could get his permit and pay the agriculture rate associated with the letter. Mr. Oaks would also like the Township Committee to determine how a farm is classified to be eligible for reduced building permit costs. The Township Committee will look into the classification of farm assessed properties. Twp. Atty. Dragan noted that the letter in which Mr. Oaks signed will remain in his file and that the building department moving forward should require all applicants of agriculture building permits have a letter placed into their building permit file as to the intended use of the building.

Mr. Oaks also addressed complaints that have been made regarding the riding of ATV's and dirt bikes on his property. Mr. Oaks printed out the noise ordinance and found that the violations are very vague. The Township Committee noted that the violations are vague in the Ordinance so that residents can be neighborly and not have violations that are restrictive.

Resident Stu Hutchenson asked about the status of Delaware River Tubing. Township Atty. Dragan noted that a recent civil rights lawsuit against the Township was thrown out by the presiding Judge.

#### **CORRESPONDENCE:**

- Received correspondence from the NJ Department of Environmental Protection that they have reviewed the Township's nitrate sampling results for the Municipal Complex and have determined that the Township may reduce the monitoring frequency to annual beginning in the calendar year 2018 for the

point of entry WL001001. Sample collection shall be conducted during the 2<sup>nd</sup> quarter, which previously yielded the highest analytical result.

- Alexandria Township received \$18,104.29 through the Clean Communities Grant for the 2016 Calendar Year. Out of the 5 sending districts the Township grossed the highest amount of grant money.
- The AED that Township Administrator/Clerk Bobrowski purchased from a grant awarded by Statewide Insurance has arrived and will be installed at the park pavilion shortly. Quakertown Rescue Squad will be offering CPR/AED classes in August for Township Employees and Residents. All those that attend classes can purchase certification cards for \$10.00. The dates for these classes will be advertised on the Township Website: alexandrianj.gov.

Comm. Pfefferle made a motion, seconded by Comm. Garay to move to Executive Session.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

#### **Open Public Meetings Act RESOLUTION- Executive Session**

**WHEREAS, N.J.S.A. 2:4-12**, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist:

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

\_\_\_\_\_ A confidential or excluded matter under Federal or State Law or Court Rule.

\_\_\_\_\_ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

\_\_\_\_\_ A matter constituting an unwarranted invasion of an individual's privacy rights.

\_\_\_\_\_ Collective Bargaining Agreement or negotiation of the Agreement.

  X   Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

**Mt. Laurel Housing**



\_\_\_\_\_ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

  X   Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

**Delaware River Tubing  
Auction of Township Parcels**

\_\_\_\_\_ Matters falling within the attorney-client privilege.

  X   Personnel matters involving a specific employee or officer of the Township.  
Township Committee Meetings

**CFO Hart  
Diane McDaniel**

\_\_\_\_\_ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
5. This Resolution shall take effect immediately.

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Comm. Garay made a motion, seconded by Comm. Pfefferle to return to Public Session.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

**EXECUTIVE SESSION:**

The following matters were discussed in Executive Session:

- Mt. Laurel Housing

No Update

- Delaware River Tubing

Matter to stay in Executive Session

- Diane McDaniel

Matter was discussed in Public. Asst. CFO McDaniel sent Township Administrator/Clerk an email requesting that her matter be discussed in public.

- Chris Hart

Matter to stay in Executive Session

- Auction of Township Parcels

Township has two options to sell Township owned properties:

- 1.) Use the services of Maxx Spann
- 2.) Can auction ourselves by sealed envelope.

Auctions to take place in the fall. Township Administrator/Clerk Bobrowski will contact Maxx Spann pertaining to their costs associated with an auction.

### **MOTION TO ADJOURN**

Comm. Garay made a motion, seconded by Comm. Pfefferle to adjourn.

**Roll Call: Aye: Garay, Abraham, Pfefferle**

**Nay: None**

**Abstain: None**

**Motion Carried**

**Meeting Adjourned at 11:24 PM.**

**Respectfully Submitted:**

**Michele Bobrowski, RMC**

**Township Clerk**

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of February 8, 2017 and certify that said Minutes were approved unanimously by the Township Committee on the 12th day of July 2017.

\_\_\_\_\_  
Paul Abraham, Mayor

Dated: \_\_\_\_\_